## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAMMY DANIELS,	) No. C 10-05372 JW (PR)
Petitioner, vs.	ORDER GRANTING EXTENSION OF TIME TO FILE COMPLETE IN FORMA PAUPERIS APPLICATION
MIKE McDONALD,	)
Respondent.	

On November 29, 2010, petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the clerk of the court sent a notice to petitioner that a filing fee of \$5.00 was now due or in the alternative, that petitioner must file an <u>In Forma Pauperis</u> Application. (Docket No. 2.) Petitioner was advised that he must respond within thirty days to avoid the action being dismissed.

On December 13, 2010, petitioner filed a motion for leave to proceed in forma pauperis which is deficient for the following reasons: 1) the Certificate of Funds in Prisoner's Account was not completed and signed by an authorized prison official; and 2) petitioner failed to attach a copy of his prisoner trust account statement showing transactions for the last six months. (Docket No. 5.)

For the Northern District of California

In the interest of justice, petitioner is granted an extension of time to file the
missing documents to complete the <u>In Forma Pauperis</u> Application. Petitioner must
file the missing documents described above no later than thirty (30) days from the
date this order is filed. In the alternative, petitioner may file the \$5.00 filing fee in
the same time provided.

## FAILURE TO FILE A TIMELY RESPONSE IN ACCORDANCE WITH THIS ORDER WILL RESULT IN THE DISMISSAL OF THIS ACTION WITHOUT FURTHER NOTICE TO PETITIONER.

The clerk shall enclose two blank copies of the Certificate of Funds in Prisoner's Account with a copy of this order to petitioner.

DATED: \_ February 11, 2011

ted States District Chief Judge

## UNITED STATES DISTRICT COURT FOR THE

## NORTHERN DISTRICT OF CALIFORNIA

SAMMY DANIELS JR,	Case Number: CV10-05372 JW
Petitioner,	CERTIFICATE OF SERVICE
V.	
MIKE MCDONALD,	
Respondent.	
I, the undersigned, hereby certify that I Court, Northern District of California.	am an employee in the Office of the Clerk, U.S. District
That on 2/11/2011 attached, by placing said copy(ies) in a hereinafter listed, by depositing said en an inter-office delivery receptacle locat	, I SERVED a true and correct copy(ies) of the postage paid envelope addressed to the person(s) velope in the U.S. Mail, or by placing said copy(ies) into ed in the Clerk's office.
Sammy Daniels K31657 High Desert State Prison P.O. Box 3030 Susanville, CA 96127	
Dated:2/11/2011	_
	Richard W. Wieking, Clerk